

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

UNITED STATES OF AMERICA                                  } DOCKET NO. 1:07CR69-TSE  
   }  
vs.   }  
   }  
1) HENDERSON AMUSEMENT, INC.                         }  
2) JAMES OTIS HENDERSON,                                 }  
3) BARRON SLOAN HENDERSON,                             }  
4) JERRY PENNINGTON,                                     }  
5) JEFFREY LEE CHILDERS                                 }  
6) HAROLD STEVE HARTNESS                                 }  
21) ROBERT MERRYMAN                                     }

**ORDER TO DISMISS**

Upon the motion of the United States of America, the Court hereby orders that the Bill of Indictment in this matter be dismissed in its entirety as to the defendants Henderson Amusement, Inc., James Henderson, Barron Henderson, Jerry Pennington, and Jeffrey Childers. The Court further orders that all remaining counts of the Bill of Indictment as to Robert Merryman be dismissed.

**SO ORDERED**, this the 14<sup>th</sup> day of ~~March~~, 2008.

*May*  
T. S. ELLIS, III  
UNITED STATES DISTRICT JUDGE